

CLOSED,TYPE I-FOIA

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00663-TJK**

MISSOURI COALITION FOR THE ENVIRONMENT v. U.S.  
ARMY CORPS OF ENGINEERS  
Assigned to: Judge Timothy J. Kelly  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/23/2018  
Date Terminated: 03/28/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**MISSOURI COALITION FOR THE  
ENVIRONMENT**

represented by **Elizabeth J. Hubertz**  
IEC WASHINGTON UNIVERSITY  
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*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**U.S. ARMY CORPS OF ENGINEERS**

represented by **Jeremy Allen Haugh**  
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*TERMINATED: 12/14/2018*  
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*TERMINATED: 05/08/2018*

Date Filed	#	Docket Text
03/23/2018	<u>1</u>	COMPLAINT against U.S. ARMY CORPS OF ENGINEERS ( Filing fee \$ 400 receipt number 0090-5385558) filed by MISSOURI COALITION FOR THE

		ENVIRONMENT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Corporate Disclosure)(Hubertz, Elizabeth) (Attachment 1 replaced on 3/26/2018) (jd) (Entered: 03/23/2018)
03/23/2018	<u>2</u>	REQUEST FOR SUMMONS TO ISSUE re <u>1</u> Complaint, filed by MISSOURI COALITION FOR THE ENVIRONMENT. Related document: <u>1</u> Complaint, filed by MISSOURI COALITION FOR THE ENVIRONMENT. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(Hubertz, Elizabeth) (Entered: 03/23/2018)
03/23/2018	<u>3</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by MISSOURI COALITION FOR THE ENVIRONMENT. (jd) (Entered: 03/26/2018)
03/23/2018		Case Assigned to Judge Timothy J. Kelly. (jd) (Entered: 03/26/2018)
03/26/2018	<u>4</u>	SUMMONS (3) Issued Electronically as to U.S. ARMY CORPS OF ENGINEERS, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(jd) (Entered: 03/26/2018)
04/16/2018	<u>5</u>	NOTICE of Appearance by Shanna Laura Cronin on behalf of U.S. ARMY CORPS OF ENGINEERS (Cronin, Shanna) (Entered: 04/16/2018)
04/25/2018	<u>6</u>	ANSWER to Complaint by U.S. ARMY CORPS OF ENGINEERS.(Cronin, Shanna) (Entered: 04/25/2018)
05/02/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall meet, confer, and file a joint proposed schedule for briefing or disclosure by May 21, 2018. Signed by Judge Timothy J. Kelly on 5/2/2018. (lctjk3) (Entered: 05/02/2018)
05/03/2018		Set/Reset Deadlines: Joint proposed schedule for briefing or disclosure due by 5/21/2018. (jl) (Entered: 05/03/2018)
05/08/2018	<u>7</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Jeremy Allen Haugh on behalf of U.S. ARMY CORPS OF ENGINEERS Substituting for attorney Shanna Cronin (Haugh, Jeremy) (Entered: 05/08/2018)
05/21/2018	<u>8</u>	RESPONSE to Minute Order of May 2, 2018 by MISSOURI COALITION FOR THE ENVIRONMENT. (Hubertz, Elizabeth) Modified on 5/22/2018 to correct docket text (jf). (Entered: 05/21/2018)
05/21/2018		MINUTE ORDER: Upon review of the <u>8</u> Proposed Briefing Schedule filed by the parties, it is hereby ORDERED that Defendant shall file its Motion for Summary Judgment by July 20, 2018; Plaintiff shall file its Memorandum in Opposition to Defendant's Motion for Summary Judgment and Cross-Motion for Summary Judgment by August 20, 2018; Defendant shall file its Reply in Support of its Motion for Summary Judgment and Opposition to Plaintiff's Cross-Motion by September 19, 2018; and Plaintiff shall file its Reply in support of its Cross-Motion by October 4, 2018. Signed by Judge Timothy J. Kelly on 5/21/2018. (lctjk3) (Entered: 05/21/2018)
05/22/2018	<u>9</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General April 2 2018. (Hubertz, Elizabeth) (Main Document 9 replaced on 5/23/2018) (zjf). (Entered: 05/22/2018)
05/22/2018	<u>10</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/2/2018. Answer due for ALL FEDERAL DEFENDANTS by 5/2/2018. (Hubertz, Elizabeth) (Main Document 10 replaced on 5/23/2018) (zjf). (Entered: 05/22/2018)
05/22/2018	<u>11</u>	Summons Returned Unexecuted by MISSOURI COALITION FOR THE ENVIRONMENT as to U.S. ARMY CORPS OF ENGINEERS. (Hubertz, Elizabeth) (Main Document 11 replaced on 5/23/2018) (zjf). (Entered: 05/22/2018)
05/22/2018	<u>12</u>	REQUEST FOR SUMMONS TO ISSUE to US Corps of Engineers filed by MISSOURI COALITION FOR THE ENVIRONMENT.(Hubertz, Elizabeth) (Entered: 05/22/2018)

05/23/2018	<u>13</u>	SUMMONS (1) Issued Electronically as to U.S. ARMY CORPS OF ENGINEERS. (jf) (Entered: 05/23/2018)
06/06/2018	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. ARMY CORPS OF ENGINEERS served on 4/2/2018 (Hubertz, Elizabeth) Modified on 7/2/2018 (zrdj). (Entered: 06/06/2018)
07/20/2018	<u>15</u>	Consent MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by U.S. ARMY CORPS OF ENGINEERS (Haugh, Jeremy) (Entered: 07/20/2018)
07/23/2018		MINUTE ORDER granting, nunc pro tunc, Defendant's <u>15</u> Consent Motion for Extension of Time. It is hereby ORDERED that Defendant shall file its motion for summary judgment by July 27, 2018; Plaintiff shall file its cross-motion for summary judgment and opposition to Defendant's motion by August 27, 2018; Defendant shall file its reply in support of its motion by September 26, 2018; and Plaintiff shall file its reply in support of its cross-motion by October 11, 2018. Signed by Judge Timothy J. Kelly on 7/23/2018. (lctjk3) (Entered: 07/23/2018)
07/27/2018	<u>16</u>	MOTION for Summary Judgment by U.S. ARMY CORPS OF ENGINEERS (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Jacqueline E. Bouchard, # <u>3</u> Declaration of William P. Levins)(Haugh, Jeremy) (Entered: 07/27/2018)
08/27/2018	<u>17</u>	Cross MOTION for Summary Judgment <i>Statement of Facts and Memorandum in Support</i> by MISSOURI COALITION FOR THE ENVIRONMENT (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Declaration of Heather Navarro, # <u>8</u> Declaration of Elizabeth Hubertz, # <u>9</u> Text of Proposed Order)(Hubertz, Elizabeth) (Entered: 08/27/2018)
08/27/2018	<u>18</u>	Memorandum in opposition to re <u>16</u> MOTION for Summary Judgment filed by MISSOURI COALITION FOR THE ENVIRONMENT. (Hubertz, Elizabeth) (Entered: 08/27/2018)
09/26/2018	<u>19</u>	Memorandum in opposition to re <u>17</u> Cross MOTION for Summary Judgment <i>Statement of Facts and Memorandum in Support and Reply Memorandum In Support of Defendant's Motion for Summary Judgment</i> filed by U.S. ARMY CORPS OF ENGINEERS. (Attachments: # <u>1</u> Exhibit Levins Supplemental Declaration, # <u>2</u> Exhibit Bouchard Supplemental Declaration)(Haugh, Jeremy) (Entered: 09/26/2018)
09/26/2018	<u>20</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment filed by U.S. ARMY CORPS OF ENGINEERS. (Haugh, Jeremy) (Entered: 09/26/2018)
10/11/2018	<u>21</u>	REPLY to opposition to motion re <u>17</u> Cross MOTION for Summary Judgment <i>Statement of Facts and Memorandum in Support</i> filed by MISSOURI COALITION FOR THE ENVIRONMENT. (Hubertz, Elizabeth) (Entered: 10/11/2018)
12/14/2018	<u>22</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Roberto Cesar Martens, Jr on behalf of U.S. ARMY CORPS OF ENGINEERS Substituting for attorney Jeremy A. Haugh (Martens, Roberto) (Entered: 12/14/2018)
03/28/2019	<u>23</u>	ORDER denying Defendant's <u>16</u> Motion for Summary Judgment, granting Plaintiff's <u>17</u> Cross-Motion for Summary Judgment, and entering declaratory judgment. See Order for details. Signed by Judge Timothy J. Kelly on 3/28/2019. (lctjk2) (Entered: 03/28/2019)
03/28/2019	<u>24</u>	MEMORANDUM OPINION in support of <u>23</u> Order denying Defendant's Motion for Summary Judgment, granting Plaintiff's Cross-Motion for Summary Judgment, and entering declaratory judgment. Signed by Judge Timothy J. Kelly on 3/28/2019. (lctjk2) (Entered: 03/28/2019)